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| <b>OCT 13 2020</b>  |   |
| <b>CLERK US DISTRICT COURT</b><br><b>DISTRICT OF NEVADA</b>                   |   |
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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

TESLA, INC., a Delaware corporation,  
Plaintiff,  
vs.  
MARTIN TRIPP, an individual,  
Defendant

Case No. 3:18-cv-00296-MMD-CBC

**DEFENDANT/ MARTIN TRIPP'S  
RESPONSE TO TESLA'S "EMERGENCY  
MOTION" FOR ORDER TO SHOW  
CAUSE AND HEARING (COURT DOC  
220)**

Defendant/Counterclaimant Martin Tripp (“Defendant” or “Tripp”), by himself, hereby respectfully submits his Response to Tesla’s Emergency Motion for order to show cause; otherwise known as Document 220.

1           **A. Response to Preliminary Statement**

2           a. I do not find anything of which I have done to be illegal, and it is quite apparent  
3           that once again Tesla and Musk have gone out of their way to destroy every  
4           aspect of my life. Below are my responses to each allegation:

- 5           • Referenced email which was sent to Musk, were in no way a threat.
- 6           • I have not harassed Quinn Emanuel associates in any way. I simply  
7           asked them how they could represent a fraudulent individual such as  
8           elon musk, as well as trying to communicate, reasonably, regarding the  
9           sanction amount.
- 10          • I absolutely did not confirm that I ‘would **not** pay the \$25,000 in  
11           sanctions’. I stated on multiple occasions that I currently did not have  
12           the funds to pay it.
- 13          • While mostly joking, yes, it is possible that someday I may elect to  
14           disseminate the tesla confidential and attorneys eyes only information.  
15           Have I broken any court order by stating I might? I don’t think so.
- 16          • In two instances, the Honorable Judge Baldwin has stated, verbally and  
17           written, to consider Settlement. The first is from 8/14/2020’s Status  
18           Conference in which she stated she would like to possibly discuss. The  
19           second occasion was dated 9/18/2020 (Court Document 218) Minute  
20           Order In Chambers, in which “it is appropriate to refer this case to  
21           Magistrate Judge Carla Baldwin to conduct a settlement conference”.

22           **B. Background Responses**

- 23          1. I am absolutely NOT a ‘tool’ of any anti-tesla group. I have publicly  
24           stated on multiple occasions that I take no sides; TSLA-Q or pro-tesla.  
25           I simply am here to provide the facts of the fraud that tesla and elon  
26           musk have committed. If any TSLA-Q want to support me, it is of their

1                   own volition, and I have not pulled anyone's arm or leg for them to do  
2                   so. I have publicly asked for assistance, and MANY individuals have  
3                   provided both financial and emotional support.

- 4                   2. Of course, we all know that I 'went on a twitter tirade in early August  
5                   2020'. Why tesla keeps feeling the incessant need to continue stating  
6                   such, is beyond any reasonable person's belief. It is well documented,  
7                   and I'm 'paying' for it, pun intended.  
8                   3. Again, yes...we know...it is documented.  
9                   4. While in part, I did 'agree' to pay tesla the amount of \$25,000 as a  
10                  sanction, I did NOT agree to specific GoFundMe funds. My statements  
11                  to tesla's counsel were that the money they EXPECTED (near \$28,000  
12                  at the time) was already 'spoken for' so to speak. Those funds had  
13                  been collected previous to the Emergency hearing, and so I was trying  
14                  to explain to them. They apparently do not understand the GoFundMe  
15                  withdrawal system, how it works, or a great many other things.  
16                  5. Yes, the Court also granted Tripp's Motion for Summary Judgement  
17                  on tesla's atrocious \$167,000,000 (that's MILLION dollars) claim, to  
18                  which tesla is now quite upset about.

19                  **C. Response to Recent Actions by Tripp**

- 20                  1. Repudiation of His Obligation to Pay \$25,000

- 21                  1. My 'Initial' GoFundMe has raised more than \$31,000. This  
22                  money was collected, with the exception of approximately \$2000,  
23                  prior to 8/14/2020, and used for Attorneys Fees, travel expenses,  
24                  and living expenses. This particular account was closed by  
25                  GoFundMe due to moving to another payment system. I am sure  
26                  every single GoFundMe campaign received the same notice and

had to make the changes. I took to twitter, asking whether I should continue the GoFundMe campaign, or end it. The poll spoke and the consensus was I should keep it. I felt it in the best interest to start a new campaign, specific to raising funds to help pay the ridiculous sanction of \$25,000, as opposed to continuously changing what the original campaign was about. As directed by alex spiro himself, in an email dated 9/12/2020, he stated via his blackberry device, "Mr. Tripp – Please let us know when the entire sum of 25,000 dollars is collected and we will provide wiring instructions. Thank you". Any response after this was to state it would be some time before those funds would be 'collected' in full. It's not easy for someone with no money, struggling daily, to come up with these considerable funds. I would also like the court to consider that I am currently separated from my Spouse, and need to find a new home within the coming year. Currently, all funds are being held by a 3<sup>rd</sup> party within the US that, once the \$25,000 is fulfilled, will be wiring the funds to alex spiro, but not before then, per his demand.

2. Yes, I currently have around \$8 US dollars in my US checking account. The statement regarding using the GoFundMe proceeds for my living expenses has been taken out of context, quite normal I'm afraid, for tesla and its many different counsels that have been utilized throughout this case. I was referring to the funds from the 1<sup>st</sup> GoFundMe. Again "will be unable to pay the balance ordered by the court" is taken out of context. I am simply making a statement about my current financial situation. Per Document

211, 8:42am Line 2; "Mr. Tripp shall contact Mr. spiro to discuss how such fees will be paid". I take that to mean that there should be a discussion. My statement of 'not being able to pay' should have started a discussion...no discussion has or will take place because they have no intent but to ensure I am destroyed financially and publicly. At this point, I am clearly beyond having a one-sided conversation.

3. 9/18/2020 “update on my finances”. Yes, even up to this time, I am unemployed, and it appears to remain that way for the foreseeable future. It is an absolute truth.
  4. 10/6/2020 I did in fact create a website, and yes, I do have a page requesting donations. I find it ridiculous that tesla and its counsel stoops to such a low level to monitor every aspect of my life, specifically \$25,000. It is a completely nefarious and destructive attempt at again, destroying me. I clearly state that the donations are to help support the maintenance of the website. HOW I acquire the funds to pay the sanction is not, and should not be of any concern to tesla. Per Document 219; Status Update, it is clear that tesla considers any GoFundMe donations to a suit against them to be a nefarious action, and have publicly stated it via musk. But, interestingly enough a lawsuit: Greenspan vs musk/qazi/etc musk and qazi converse via twitter, and qazi constantly pushes his GoFundMe to support his case as Defendant against Greenspan. So, which is it...tesla/musk support GoFundMe donations, or are against them. You can’t have one or the other.

- 1           1. Yes, it is true, I will be performing a ‘speaking tour’ throughout  
2           Europe. One date is set, others as of yet to be decided. The  
3           question is sincere, as one of the producers asked it, and I told  
4           them I would ask tesla;s legal counsel. Apparently, this got them  
5           up in arms. It is a legitimate question.
- 6           2. Freedom of speech is fundamental. I have every right as a citizen  
7           of the United States of America to make any statement or  
8           comment that I wish to make. Sometimes it hurts others’ feeling,  
9           most times not. The first sentence is a quote taken directly from  
10          musk himself. It is the “pot calling the kettle black”.
- 11          3. Yes, it is true, there ARE over 16gb of facts. I don’t see what the  
12          issue with making that statement would be. It is truthful. Again,  
13          a tesla NDA absolutely means nothing to me. They are a truly  
14          awful company, and I am sincerely exposing this as fact. They  
15          set out to destroy me; blasting my name to the entire world,  
16          concocting a story of being a mass terrorist, and continuing even  
17          today to make false comments. They are clearly trying to hide  
18          their wrongdoing. ANY person in their right mind would break  
19          an ‘NDA’ if there was a risk of public and/or investor safety. Not  
20          doing so would make them complicit in the illegal enterprise they  
21          have going. As publicly stated by me, I have several other NDAs  
22          with other previous Employers. The difference is they all did  
23          things LAWFULLY, and didn’t try to destroy their Employees  
24          lives (on more than one occasion).
- 25          4. Yes, my website is DEDICATED to exposing tesla’s fraud that I  
26          witnessed, including musk himself. I believe that I am able to tell

1 my story, just as anyone else would be able to. I am telling my  
2 personal account of what happened to me, through Posts, since I  
3 am being silenced by all other means.

4 5. No, I have not ‘planned’ a two-hour livestream on 11/17/2020, it  
5 is already set in stone. It will compliment what I discuss on my  
6 website.

7 3. Response to Tripp’s Attempted Extortion

8 1. I believe they are discussing Doc 222-10 in which I set out my  
9 ‘Terms’ NOT ‘demands’. The ‘term’ is what I am requesting for  
10 any type of settlement. I don’t think there is anything nefarious  
11 about this. Again, tesla and its counsel try to use conniving and  
12 deceiving language to make me look bad. There are several  
13 falsities here.

- 14 a. I state the word TERMS, never do I state DEMAND.  
15 b. The wages stated on my counter-claim do not seek  
16 ‘hundreds of thousands of dollars’, they actually seek (in  
17 Tripp’s Answer and Counterclaim dated 07/31/2018)  
18 1,000,000 dollars per each occurrence. Also, consider  
19 “DEFENDANT/COUNTERCLAIMANT MARTIN  
20 TRIPP’S SIXTH AMENDED AND RESTATED  
21 FEDERAL RULE OF CIVIL PROCEDURE 26  
22 DISCLOSURE STATEMENT”, (Sent to counsel via  
23 email on 6/4/2019) Page 16, Section III, bolded/underlined  
24 paragraph which states: “Mr. Tripp has suffered special  
25 damages in the form of lost income caused by the inability  
26 to find comparable work as a result of the defamation and

harm inflicted on him by tesla. While he is young, it is unlikely he will ever find work for the rest of his working life. However, more significantly, he has suffered loss of reputation, shame, mortification and hurt feelings as a result of, among other things, being falsely accused of intending to sabotage tesla and intending to shoot people at the Gigafactory, a completely baseless and false story. Since his employment with tesla ended, Mr. Tripp has received numerous threats to his personal safety, which, have been stirred by the foregoing false and defamatory statements published about him by tesla. For all foregoing reasons, we anticipate asking the jury to award Mr. Tripp damages of \$2.1 to \$2.3 million dollars in lost income over his expected working life...”. While tesla may be correct, that Judge Du gave a discombobulated granting of tesla’s Summary Judgement against my rightful counter-claims, there is still the matter that tesla WRONGLY filed a lawsuit against me, that is full of lies and deception, made it public, calling me out by name, and then continuing to destroy me for over two years. Yes, I do believe I am owed something for this continued hardship on myself and my Family.

c. Response to Tripp's Threat of Physical Violence

- i. In no way, shape, or form did I state any type of physical, or even emotional, violence on elon musk. I simply stated I would ‘teach(ing) him a lesson on

1 fucking with the wrong people'. I have taught many  
2 individuals through the years, never having used  
3 physical or emotional violence to perform said  
4 actions. On top of this, I reside in Hungary, and  
5 have no funds to be anywhere near where musk may  
6 be, let alone know where he even is. Also, I  
7 wouldn't want to physically touch that him.

8 ii. In reference to previous 'threats', musk tried to  
9 portray via public dissemination as well as internal  
10 tesla emails that what I had said via email to him in  
11 an email chain dated 06/20/2018 was a threat: "You  
12 have what's coming for the lies you have told to  
13 investors and the general public", his response was  
14 that "threatening him doesn't help", and  
15 unpublished on tesla's emails server, but seen  
16 internally "that's a threat...". It is apparent that he  
17 did not find it in any way threatening, as no legal  
18 action was taken at that time.

19 iii. Yes, the email was from a 'new' email (this email  
20 has existed for over two years), an inadvertent  
21 action on my part of not changing the TO email  
22 prior to sending, as I had been using it to send many  
23 emails regarding my new website.

24 **D. Relief Requested by tesla**

25 a. It is clear tesla just wants to see me in a jail cell. Good luck with that elon.

- 1                   b. Clearly, I have not owned a firearm since May of 2018. I have NEVER had one  
2 instance of domestic/physical abuse. I do not currently own any firearms, and  
3 while I'd love to for sporting pleasure, it just is not possible living here in  
4 Hungary. While I owned numerous firearms, I was part of numerous  
5 organizations, as well as local clubs. Not once did I ever have any issues with  
6 owning them, and even had a Concealed Carry Permit for the State of  
7 Wisconsin, and easily passed SEVERAL Federal and State background checks  
8 before purchasing the multiple handguns and AR15s that I have owned through  
9 the years. I DID have an allegation of child abuse by the Wright family located  
10 at 2994 Mancelona Rd. Gaylord, MI in which they concocted a story to remove  
11 me from my 3 children's lives because I wanted custody of them, as they were  
12 being mistreated, had no family structure, and were being turned against me.  
13 They retaliated by claiming I had choked one of my children, and it was quickly  
14 determined, after several law enforcement and state personnel interviewed the  
15 children, that it simply was not the case. Unbelievably, the system allowed her  
16 to keep the kids, who ultimately never even lived with her. Tesla's claims to  
17 push this narrative is, again, a plain indication that they are trying to DESTROY  
18 me as a human. To add to this, using Mark Herrell's email, which is eerily  
19 similar to a previous one by his Mother Dawn Wright, is just further trying to  
20 blast me as a "horrible human being", when in fact tesla and musk do not even  
21 have the facts to back up any claims either these people, or they themselves  
22 have made.
- 23                   c. I have never made a demand for money and have in fact stated publicly on many  
24 occasions that I don't care about money...I'm not 'in it for the money'. If I was  
25 in it for the money, I certainly wouldn't brag about \$50,000. It would be more  
26 like millions. Now, my TERMS for a settlement are another matter.

1           Apparently, I am required to work in some fashion to be able to pay life debts,  
2           support family, etc. But, according to tesla, myself having ANY money would  
3           be BAD. I guess it would make me look greedy? My terms are to be able to  
4           live in a society in which I can pay my bills and support my Family. It is evident  
5           through all the job interviews that I've been to that I will both not be able to  
6           find a comparable role in which I had been, even previous to tesla, and that  
7           nobody is willing to hire me because of the stain tesla has placed on my name.  
8           On top of this, I have to worry about my Son's name in the coming years, and  
9           how he will be associated to all of this.

- 10           d. I am NOT threatening to injure the reputation of tesla, I am simply  
11           CONTINUING what I have been doing all along...exposing the truth of their  
12           FRAUD, lies, deceit, as well as their CEOs incompetence. Hopefully it is clear  
13           to the Court that I never stopped. Maybe I was inhibited by previous legal  
14           counsel, but it has always been ongoing.
- 15           e. Tesla brings up the fact that there is an outstanding warrant for my arrest. What  
16           they neglect to state in this PUBLIC document, is that the warrant is for a little  
17           over \$1300 US dollars. An insignificant amount that was pushed by Dawn  
18           Wright because she relies on my payments to fuel her partying lifestyle. For  
19           some perspective; I had paid Wright in cash for a number of years, and she  
20           provided a handwritten receipt. The Otsego County Friend of the Court, after  
21           reviewing our case, determined I owed them tens of thousands of dollars in  
22           arrearages. Although I proved the receipts, they decided the payments should  
23           have gone through them, and I was arrested and had to repay every bit I had  
24           already paid. It took being tens of thousands of dollars behind before a bench  
25           warrant was issued. This time, since I am wrongfully in the public spotlight,  
26           they have chosen to go after me for being just over two payments behind. Yes,

1 I am forced to pay over \$550 USD per month for one child, who will be 18 years  
2 old a month from now. On top of this, tesla has (once again to publicly  
3 humiliate me) neglected to include the fact that when the United States  
4 Congress/Senate passed the 1<sup>st</sup> round of stimulus payments, the State of  
5 Michigan withheld not only MY stimulus check, but also my Wife and Son's!  
6 So, with that being said, most likely I will not even have an arrearage once those  
7 payments are processed, as there was a 6 month hold placed on them. Again,  
8 this is a clear attempt by tesla at a smear campaign against me, where I am  
9 literally not able to fight back. They always have the upper hand due to the  
10 immense wealth amassed by their fraud.

11 f. I request that the Court refer teslas actions of fraud and abuse (making insane  
12 lies and accusations against me, stating publicly I was on my way to shoot the  
13 Gigafactory up: a complete fabrication of a mass terror threat) to the United  
14 States Attorney's Office and/or ANY relevant Federal Authority, including the  
15 FBI and Department of Justice.

16 1. Holding Tripp in Contempt of Court

17 1. All I can say is "if the shoe fits". I specifically remember Judge  
18 Baldwin telling me I will need to communicate with tesla's legal  
19 counsel while Pro Se.

20 2. I will pay the sanctions, as per the terms of alex spiro, I just cannot  
21 say with any certainty as to when. He set the terms, I will follow  
22 them.

23 3. Requesting the court to attack me for any little thing that hurts  
24 their feelings, requesting emergency motions, etc is not only a  
25 slap in the face of the Courts, but a blatant disregard for any  
26 respect. They are using the Court as a tool to continue destroying  
27  
28

me publicly. Just this week, tesla leaked another instance of a would be ‘saboteur’. Numerous news agencies printed that tesla had not contacted the authorities, and local authorities confirmed that no investigation was ongoing. As of 10/10/2020, no lawsuit has been filed, yet by the story that was concocted, the ‘saboteur’ caused production to halt for several hours (costing the company lost revenue), and even destroyed company property. This is very telling of what they have done to me.

4. It is clear tesla and musk want me arrested, no question. They have alluded to that fact multiple times. Just because you WANT someone arrested, doesn't mean they should be. If anything, it should be musk and others complicit in the securities fraud, the lies about myself, as well as all the other wrongdoings, worldwide.

## 2. Allowing Tesla to Recover its Full Attorney's Fees

1. I am in no way violating the Court's order. Tesla is simply trying to push this narrative to 'get their way'. I was told in the court order, again, that if I could not pay the sanction amount in 60 days, to have a discussion. That discussion was a one-sided conversation, where I reached out, and the response is this 'Emergency Motion'. I believe the court knows the tone of my written word.

### 3. Order Regarding Tripp's GoFundMe Proceeds

1. Beyond stating that it is Attorney-Client Privilege, I was ok'd by my legal counsel to use the funds for personal reasons, as well as travel expenses to the United States. On one occasion having to

1 travel for a deposition that was cancelled, and missing my Son's  
2 first day of school, ever.

3 4. Order Regarding Litigation Funding Discovery

5 1. While I'm no attorney, I believe that this falls under Attorney  
6 Client privilege. It is ridiculous that any 'average' person cannot  
7 even fight false claims against them without going into permanent  
8 debt. For tesla to attack someone for receiving financing is  
9 completely unethical. Their attorneys should be disbarred for  
10 even thinking such. Regarding footnote 2, Page 8: I have the  
11 funds that have been received any time after 8/14/2020, but as  
12 stated before, was told to hold them until the full \$25,000 has been  
received.

13 g. Conclusion

14 1. I, Martin Tripp respectfully request that the Court issue an Order to  
15 Show Cause as to why tesla continues to push false narratives and  
16 personally attack me, using the Court as their tool to do so. I also  
17 request that the sanction be lifted for their continued attacks on myself.  
18 Finally, I request the Court to strike tesla's entire Document 220.

19  
20 DATED this 13<sup>th</sup> day of October, 2020.

21  
22 Martin Tripp, Pro Se

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25 By   
26 Martin Tripp  
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## PROOF OF SERVICE

I am a Citizen of the United States of America. I am over the age of 18 and am a party to the within action; my personal address is Bocskai Utca 11 Cece, Fejer 7013 Hungary.

On October 13, 2020, I served the following described as:

**DEFENDANT/ MARTIN TRIPP'S RESPONSE TO TESLA'S "EMERGENCY  
MOTION" FOR ORDER TO SHOW CAUSE AND HEARING (COURT DOC 220)**

on the following interested parties in this action:

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1       (BY E-MAIL) By transmitting the above documents to the above e-mail addresses.  
2       (STATE) I declare under penalty of perjury under the laws of the United States of  
3      America that the foregoing is true and correct.

4                    EXECUTED on this 13th day of October, 2020 at Fejer, Hungary.

5                    /s/Martin Tripp  
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